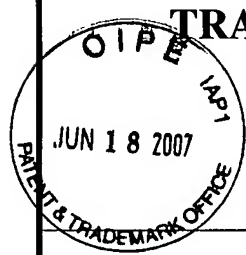


IFW



# TRANSMITTAL FORM

		Application No.:	10/821,696
		Filing Date:	4/9/2004
		First Named Inventor:	William Glynn
		Confirmation No.:	1534
		Group Art Unit	2111
		Examiner:	Phan, Raymond Ngan
		Customer No.	24227
Total Number of Pages in this Submission:		Docket No.	EMC-99-173CON1

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> <b>Authorization for the Commissioner to charge Deposit Account No. 05-0889 for fees associated with this transaction (in duplicate)</b> <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Decl. <input type="checkbox"/> Extension of Time Request for 1 Month <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Request for Continued Examination Transmittal <input checked="" type="checkbox"/> <b>Response to Notice of Non-Compliant Amendment</b> <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Fee Transmittal (in duplicate)	<input type="checkbox"/> Assignment <input type="checkbox"/> Recordation Cover Sheet <input type="checkbox"/> Declaration/Power of Attorney <input type="checkbox"/> Copy of Notice to Recordation <input type="checkbox"/> Revocation of Power of Attorney <input type="checkbox"/> Formal Drawings <input type="checkbox"/> Letter to Official Draftsperson with ____ ( ) sheets of redlined changes to drawings <input type="checkbox"/> Copy of PTO 948, "Notice of Draftsperson's Patent Review" <input type="checkbox"/> Preliminary Amendment  <input type="checkbox"/> Additional Enclosures:	<input type="checkbox"/> Petition for Revival of an Unintentionally Abandoned Application [37 CFR 1.137(b)] (in duplicate) <input type="checkbox"/> Form PTOL-85B, Part B -Issue Fee Payment Transmittal," (in duplicate) <input type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> <b>Certificate of First Class Mailing</b> <input type="checkbox"/> Certificate of Express Mail Mailing <input checked="" type="checkbox"/> <b>Postcard</b>
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## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Date <u>June 14, 2007</u>	<u>Penelope S. Wilson</u> Penelope S. Wilson, Esq. (Reg. No. 29,751) EMC Corporation Office of the General Counsel 176 South Street Hopkinton, MA 01748
Tel: (508) 293-6985 Fax: (508) 293-7189	

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8]

I hereby certify that this correspondence and the above-referenced enclosures are being:

- ☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop: Attn: Group Art Unit 2111, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☐ Transmitted by facsimile on the date shown below to the Patent and Trademark Office at (703)

Date <u>June 14, 2007</u>	<u>Sean Liao</u> Signature  <u>Sean Shou-Kuo Liao</u> Typed or printed name of person signing certificate
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**PATENT**  
**EMC-99-173CON1**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>APPLICANT:</b>	William Glynn	<b>GROUP ART UNIT:</b>	2111
<b>U.S.S.N.:</b>	10/821,696	<b>CONFIRMATION NO.:</b>	1534
<b>FILING DATE:</b>	April 9, 2004	<b>EXAMINER:</b>	Phan, Raymond Ngan
		<b>CUSTOMER NO.</b>	<b>24227</b>
<b>TITLE:</b>	<b>BALANCED BENCHMARK TOOL FOR A MASS STORAGE SYSTEM</b>		

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to: Mail Stop: Attn: Group Art Unit 2111, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 14, 2007.

Sean Lee

Mail Stop:  
Attn: Group Art Unit 2111  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Sir:

This is in response to the Notice of Non-Compliant Amendment (37 CFR 1.121)

mailed June 5, 2007.

Applicant: William Glynn  
U.S.S.N.: 10/821,696  
Filing Date: April 9, 2004  
EMC Docket No.: EMC-99-173CON1

However, in the event that additional extension of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. Section 1.136(a) and any fees required for consideration of this paper (including fees for net addition of claims) are authorized to be charged in one originally-executed and one duplicate copy of an Transmittal Form filed herewith.

Please correct the amendments to the subject application, as follows:

**Corrections to the Amendments to the Specification** begins on page 3 of this paper.

**Remarks** begin on page 4 of this paper.